

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

CANCEL MONTALVO, JOAQUIN & LLANERA ROMAN, DIVINA

Debtor(s)

Case No. _____

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 9/30/2010 <input type="checkbox"/> AMENDED PLAN DATED: _____	
<input checked="" type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ 185.00 x 60 = \$ 11,100.00 \$ x = \$ \$ x = \$ \$ x = \$ \$ x = \$ TOTAL: \$ 11,100.00 Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: _____ <input type="checkbox"/> Other: _____ Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____ PROPOSED BASE: \$ 11,100.00	II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. BPPR Cr. Cr. # _____ # _____ # _____ \$ 8,000.00 \$ \$ 2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. Cr. Cr. # _____ # _____ # _____ \$ \$ \$ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. Cr. Cr. # _____ # _____ # _____ \$ \$ \$ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: BPPR C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. Cr. Cr. # _____ # _____ # _____ \$ \$ \$ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: <i>(Executory contracts; payment of interest to unsecureds, etc.)</i> FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5). ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330. TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE. DEBTOR WILL PAY 100% PLUS 6% INTEREST PER ANNUM TO GENERAL UNSECURED CREDITORS.
III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,674.00	
Signed: <u>/s/ JOAQUIN CANCEL MONTALVO</u> Debtor <u>/s/ DIVINA LLANERA ROMAN</u> Joint Debtor	

Attorney for Debtor Jose Prieto

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